
Appeal Decision

Site visit made on 3 August 2020

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 August 2020

Appeal Ref: APP/B3438/W/20/3249403

The Grange, Oakamoor Road, Cheadle ST10 4QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Adams against the decision of Staffordshire Moorlands District Council.
 - The application Ref SMD/2019/0245, dated 9 April 2019, was refused by notice dated 7 October 2019.
 - The development proposed is a new detached dwelling, in the domestic curtilage of the Grange Oakamoor.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council advises that it has been notified that the emerging Staffordshire Moorlands Local Plan (eLP), with the recommended main modifications being made, would be considered to be sound. However, no details have been provided as to how the main modifications may affect the policies that the Council has identified and provided, these being Policies SS1, SS10, H1, DC1 and DC2. Notwithstanding this, where they refer to matters relevant to this appeal, the objectives of the policies that have been provided align with those of the National Planning Policy Framework 2012, against which the eLP has been examined, and with those of the current development plan. Therefore, I afford these policies substantial weight.
3. In accordance with the statutory duty set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given special regard to the desirability of preserving The Grange and its setting or any features of special architectural or historic interest which it possesses.

Main Issues

4. The main issues are:
 - (i) whether the proposed development would provide a suitable site for housing, having regard to local and national planning policies and to the proximity of services and facilities
 - (ii) the impact of the proposed development upon the character and appearance of the area

- (iii) the impact of the proposed development upon the setting of the Grade II listed The Grange
- (iv) the impact of the proposed development upon trees

Reasons

Location

5. Policy SS6c) of the Staffordshire Moorlands Core Strategy 2014 (CS) seeks, amongst other things, to ensure that development in the countryside meets an essential local need and enhances and conserves the quality of the countryside. Policy R2 of the CS sets out the forms of housing that will be permitted in such rural areas. Policies SS10 and H1 of the eLP replicate the objectives of the development plan policies in these respects. The appeal site is located within the countryside and, as market housing, the proposal does not fall within any of the criteria stated in the policies. The proposal would therefore not accord with the aforementioned development plan policies or those in the eLP.
6. The National Planning Policy Framework 2019 (The Framework) further states that development proposals should identify and pursue opportunities to promote walking, cycling and public transport use and that rural housing should be located where it will enhance or maintain the vitality of rural communities. My attention has been drawn to the proximity of the settlement of Cheadle, which is accessed directly via Oakamoor Road and which provides a number of services and facilities. The parties provide different figures for the distance from the appeal site to Cheadle, but there is a general agreement that it's services and facilities are readily and easily accessible from the appeal site by motor vehicle, and I found this to be the case when I visited the area.
7. However, there is no pedestrian footway from the appeal site to Cheadle and walking to the settlement would require walking along a narrow and fast moving rural road. There is therefore no reasonable likelihood that occupiers of the proposed dwelling would be able to access the services and facilities in Cheadle on foot. Reference is made to a bus route passing the site, but no details have been provided and there is no evidence of bus stops in the immediate vicinity of the appeal site. Even if bus stops were present further afield, access to them would be problematic due to the lack of a pedestrian footway. The use of cycles would not be an attractive proposition to access many day to day services, given the relative narrowness of Oakamoor Road and the speed at which traffic can travel along it. There would therefore be a reliance on the use of motor vehicles to access the proposed dwelling and a conflict with the objectives of The Framework in this respect.
8. Given the proximity of the appeal site to Cheadle, it is highly likely that occupiers of the proposed dwelling would seek out services and facilities in that settlement. There is no evidence before me to suggest that the proposal would enhance or maintain the vitality of rural communities and therefore no evidence that the proposed siting of a new dwelling in this location would serve to satisfy this objective of The Framework.
9. The appellant considers that the appeal site is no further from the centre of Cheadle than existing housing sites and those allocated for housing in the local plan. However, based on the information that is provided, the sites identified are located in, or on the immediate edge, of the urban area. They do not

therefore represent housing in the countryside and are likely to be better connected to services and facilities in Cheadle as a whole by a range of modes of transport. They are also not subject to the same local and national planning policy considerations as sites located in rural areas. Their circumstances are therefore not comparable with those of the appeal proposal.

10. For these reasons, I conclude that the proposal would fail to accord with Policies SS6c) and R2 of the CS which collectively set out the parameters and criteria for new development in the countryside. There would be conflict with Policies SS10 and H1 of the eLP, which also address matters relating to proposed new dwellings in the countryside. Furthermore, the proposal fails to accord with The Framework, in particular paragraph 78 which seeks to direct new housing in rural areas to locations where it will enhance or maintain the vitality of rural communities and paragraph 102 which seeks to identify and pursue opportunities to promote walking, cycling and public transport use.

Character and appearance

11. The character and appearance of the surrounding area is firmly rural in nature, with The Grange and the nearby agricultural buildings that were formerly associated with it representative of the previous use of the area. There is a dwelling of a more modern, suburban design close to the site, but this does not define the character and appearance of the surrounding area as a whole, nor that in which the appeal site is located. The space around the existing buildings gives the area an open and spacious feel, contributing positively to the rural character of the area.
12. The proposed dwelling would not sit well within the context of the surrounding area with respect to its general appearance, as its built form would contrast substantially with the existing built form in the area. Although its design and its cut into the topography of the land seek to limit its general scale, it would nonetheless sit prominently on the appeal site, higher than the boundary hedge and with a double garage to its frontage. Its modern form would visually jar in its relationship with The Grange, which is a building of a traditional form, and in respect of its relationship to the surrounding rural area in general.
13. The proposed front elevation would have minimal engagement with the public domain, containing only a single window and the roof profiles of both the dwelling and the frontage garage would be incongruous within the context of the surrounding area and its existing built development. There would also be a loss of the spaciousness around the existing building, which is a key component of the character and appearance of the area. Collectively, these factors would result in significant harm to the character and appearance of the area.
14. For these reasons, I conclude that the proposed development would cause significant harm to the character and appearance of the area. Consequently, it would fail to accord with Policies DC1 and H1 of the CS which seek to protect character and appearance. There would also be conflict with Policies SS1, DC1 and H1 of the eLP which too seek to safeguard character and appearance, and with The Framework where it seeks to achieve well-designed places.

Setting of The Grange

15. The appeal site has a clear visual relationship to The Grange, due to its close proximity. The significance of The Grange lies primarily as a former farmhouse

associated with the historical agricultural use of the land in the immediate vicinity of the appeal site and the surrounding rural area in general. A number of architectural features pertaining to its age and evolution are also included in its listing description. The appeal site has both a visual and historic functional link with The Grange, and it sits within the setting of the listed building.

16. At the present time The Grange is appreciated in spacious surroundings and it is the dominant building in its locality. Whilst the height and general massing of the proposed dwelling would not be as substantial as The Grange, I have found that harm would arise to the character and appearance of the area. Within this context, the proposal would cause harm to the setting of The Grange both by eroding the spaciousness around it, which is an important component of its rural character and its setting, and as a result of its starkly contrasting design and prominent positioning. It would visually compete with, and draw attention from, The Grange, as a result of it being a feature of such contrasting appearance and one that would be unexpected in its rural surroundings. The proposed development would therefore fail to preserve the setting of the listed building, and this is a matter to which I afford considerable importance and weight.
17. Given the nature and scale of the development, and that the impact would be localised, I consider that less than substantial harm to the setting of the listed building would occur. As the development would result in less than substantial harm, it is necessary to weigh the public benefits of the proposal against the harm that would arise to The Grange, in accordance with Paragraph 196 of The Framework. In this respect, the appellant points to the Council's lack of a 5 year housing land supply but, whilst the proposal would result in one new dwelling, this would have only a limited benefit with respect to the provision of new housing in the district. This consideration does not therefore outweigh the harm that would result to the setting of the listed building.
18. In determining the appeal, I have had regard to the Heritage Impact Assessment submitted by the appellant. However, I have reached my own conclusions on the proposed development and I have found that harm to the setting of the listed building would arise, for the reasons that I have set out.
19. For these reasons, I therefore conclude that the proposed development would cause harm to the setting of The Grange. Accordingly, it would fail to accord with Policy DC1 and DC2 of the CS, which collectively seek to safeguard heritage assets. There would also be conflict with Policy SS1, DC1 and DC2 of the eLP which have the same objectives, and with The Framework, because the harm to the setting of the listed building is not outweighed by public benefits.

Trees

20. An Arboricultural Report (AR) has been submitted with the appeal, however this does not appear to have been available at the planning application stage and therefore has not been the subject of consultation with interested parties and consultees during the determination of the application.
21. The AR concludes that the proposed development could be achieved in a way that would not compromise the health and retention of the trees that are located within the appeal site. However, even if the trees could be retained in such a way and therefore this reason for refusal fell away, it would not

overcome the clear harm I have identified regarding the other main issues, and the conflict with the relevant local and national planning policies.

Other Considerations

22. Both parties agree that a 5 year housing land supply cannot be demonstrated, with the Council placing the figure at around 2 years. This represents a significant under supply. The provision of a new dwelling would be a benefit arising from the proposed development however the overall benefits resulting from one dwelling, including in boosting the supply of housing in the district, would be small and can carry only limited weight in support of the proposal. Therefore, this consideration does not outweigh the conflict with the relevant policies of the development plan which are outlined in this decision, and whose objectives are consistent with The Framework.
23. Reference has been made to the Council's approval of a planning application on a different site, which the appellant considers to be inconsistent with the approach that has been taken with regard to the appeal proposal. I have not been provided with the specific details of this other case but, in any event, I am required to assess the appeal primarily upon its own merits and that is the approach that I have taken.

The paragraph 11d) balance

24. As the Council cannot demonstrate a 5 year housing land supply, paragraph 11d) of The Framework is triggered. However, as per part i) of this paragraph, permission should not be granted if the application of policies in The Framework that protect areas or assets of particular importance, including designated heritage assets, provides a clear reason for refusing the development proposed. Therefore, as there would be harm to the setting of a listed building and this harm is not outweighed by public benefits, the proposal does not benefit from the presumption in favour of sustainable development that is set out in Paragraph 11 of The Framework.

Planning Balance and Conclusion

25. The proposal would not accord with the relevant development plan policies that relate to new development in the countryside and which seek to protect character and appearance and designated heritage assets. There would also be a conflict with the policies of the eLP and The Framework where they seek to serve the same objectives. The provision of one new dwelling is a benefit of only limited weight, and it does not outweigh the conflict with the development plan that I have identified. Furthermore, for the reason I have outlined, the proposal does not benefit from the presumption in favour of sustainable development set out by The Framework.
26. Therefore, there are no material considerations which indicate that the determination of this appeal should be made otherwise than in accordance with the development plan, and I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR